

D330

COPY OF PAPERS
ORIGINALLY FILED

PTO/SB/21 (08-00)

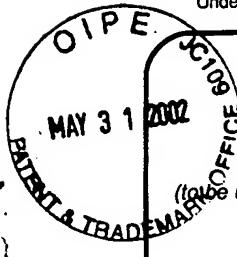
T.L

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/042,039
Filing Date	October 25, 2001
First Named Inventor	Adams, Michael A.
Group Art Unit	1616
Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number
	10692V-000521US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Revocation of Power of Attorney or Authorization of Agent	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Declaration
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	Statement Under 3.73(b)
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Joseph R. Snyder	Reg. No. 39,381
Signature		
Date	May 13, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

May 13, 2002

Typed or printed name	Sylvia E. Arnold
Signature	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
WC 9041438 v1

**COPY OF PAPERS
ORIGINALLY FILED**

PTO/SB/17 (09-00)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

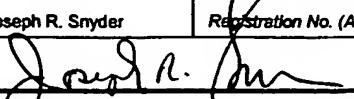
**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 120)

<i>Complete if Known</i>	
Application Number	10/043,039
Filing Date	October 25, 2001
First Named Inventor	Adams, Michael A.
Examiner Name	
Group Art Unit	1616
Attorney Docket No.	10692V-000521US

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																			
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <input type="text" value="20-1430"/></p> <p>Deposit Account Name <input type="text" value="Townsend and Townsend and Crew LLP"/></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td>55</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr> <td colspan="4"></td> <td>Other fee (specify)</td> <td></td> </tr> <tr> <td colspan="4"></td> <td>The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.</td> <td></td> </tr> <tr> <td colspan="4"></td> <td>*Reduced by Basic Filing Fee Paid</td> <td align="right">SUBTOTAL (3) (\$120)</td> </tr> </tbody> </table>				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	65	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month	55	116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application						Other fee (specify)						The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.						*Reduced by Basic Filing Fee Paid	SUBTOTAL (3) (\$120)
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																		
105	130	205	65	Surcharge - late filing fee or oath	65																																																																																																																																																																																																		
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																			
139	130	139	130	Non-English specification																																																																																																																																																																																																			
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																			
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																			
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																			
115	110	215	55	Extension for reply within first month	55																																																																																																																																																																																																		
116	400	216	200	Extension for reply within second month																																																																																																																																																																																																			
117	920	217	460	Extension for reply within third month																																																																																																																																																																																																			
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																																																			
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																																																			
119	320	219	160	Notice of Appeal																																																																																																																																																																																																			
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																																																			
121	280	221	140	Request for oral hearing																																																																																																																																																																																																			
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																			
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																																			
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																																																			
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																																																			
143	460	243	230	Design issue fee																																																																																																																																																																																																			
144	620	244	310	Plant issue fee																																																																																																																																																																																																			
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																			
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																			
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																			
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																			
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																			
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																			
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																																																			
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																																			
				Other fee (specify)																																																																																																																																																																																																			
				The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.																																																																																																																																																																																																			
				*Reduced by Basic Filing Fee Paid	SUBTOTAL (3) (\$120)																																																																																																																																																																																																		
<p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>																																																																																																																																																																																																							
FEE CALCULATION																																																																																																																																																																																																							
<p>1. BASIC FILING FEE</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td></tr> </tbody> </table>				Large Fee Code	Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee	106	330	206	165	Design filing fee	107	510	207	255	Plant filing fee	108	740	208	370	Reissue filing fee	114	160	214	80	Provisional filing fee																																																																																																																																																																						
Large Fee Code	Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																			
101	740	201	370	Utility filing fee																																																																																																																																																																																																			
106	330	206	165	Design filing fee																																																																																																																																																																																																			
107	510	207	255	Plant filing fee																																																																																																																																																																																																			
108	740	208	370	Reissue filing fee																																																																																																																																																																																																			
114	160	214	80	Provisional filing fee																																																																																																																																																																																																			
<p>SUBTOTAL (1) <input type="text" value="(\$)"/></p>																																																																																																																																																																																																							
<p>2. EXTRA CLAIM FEES</p> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>-20**</th> <th>=</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Independent Claims</td> <td>-3**</td> <td>=</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td>X</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </tbody> </table>				Total Claims	-20**	=	Extra Claims	Fee from below	Fee Paid	Independent Claims	-3**	=	<input type="text"/>	<input type="text"/>	<input type="text"/>	Multiple Dependent		X	<input type="text"/>	<input type="text"/>	<input type="text"/>																																																																																																																																																																																		
Total Claims	-20**	=	Extra Claims	Fee from below	Fee Paid																																																																																																																																																																																																		
Independent Claims	-3**	=	<input type="text"/>	<input type="text"/>	<input type="text"/>																																																																																																																																																																																																		
Multiple Dependent		X	<input type="text"/>	<input type="text"/>	<input type="text"/>																																																																																																																																																																																																		
<p>SUBTOTAL (2) <input type="text" value="(\$)"/></p>																																																																																																																																																																																																							
<p>**or number previously paid, if greater; For Reissues, see above</p>																																																																																																																																																																																																							

SUBMITTED BY						<i>Complete if applicable</i>
Name (Print/Type)	Joseph R. Snyder	Registration No. (Attorney/Agent)	39,381	Telephone	925-472-5000	
Signature				Date	May 13, 2002	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. WC 9041439 v1

**COPY OF PAPERS
ORIGINALLY FILED**

I hereby certify that this correspondence is being deposited with the United
States Postal Service as first class mail in an envelope addressed to:

PATENT

Attorney Docket No.: 10692V-000521US

PTQ Ref.: 1997-024-01US

Assistant Commissioner for Patents
Attn: Box Missing Parts
Washington, D.C. 20231

On May 13, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Sylvia E. Arnold

Sylvia E. Arnold

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael A. Adams et al.

Application No.: 10/042,039

Filed: October 25, 2001

For: FORMULATIONS AND
METHODS OF USING NITRIC OXIDE
MIMETICS AGAINST A MALIGNANT
CELL PHENOTYPE

Examiner:

Art Unit: 1616

**TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS**

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application,
dated February 12, 2002, enclosed are the following to be made of record in the above-
identified application:

- 1) Executed Declaration
- 2) Power of Attorney and Statement Under 37 C.F.R. § 3.73(b) with copies of
Assignments
- 3) Petition to Extend Time (1 month)
- 4) Copy of Notice of Missing Parts

06/04/2002 MBRH/E

00000052 201430 10043039

01 FC:2051

65.00 CH

03/14/2005 JBALINAN 00000034 201430 10043039
01 FC:2051 65.00 CH

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity:	(a) Filing Fee (§ 1.16(a)) (Small Entity)	\$0.00	
	(b) Excess Claims Fees (§ 1.16(b), (c)):		
	40 - 20 = 20	x \$9.00 =	\$0.00
	12 - 3 = 9	x \$42.00 =	\$0.00
	(c) Missing Parts Surcharge	\$65.00	
	TOTAL FEES TO BE CHARGED	\$65.00	

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Joseph R. Snyder
Reg. No. 39,381

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 925 472-5000
Fax: 415 576-0300
JS:sea

WC 9041436 v1